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Remarks

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Reconsideration and withdrawal of the rejections set forth in the Office Action dated December 30, 2009 is respectfully requested.

Summary of Office Action

Claims 1 & 2 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Weichmann, et al. (US 6,580,524) in view of Endo et al. (US 6,637,327), and further in view of Shiraishi (US 6,999,200). Claims 5 - 7 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Endo et al. (US 6,637,327), in view of Weichmann (US 6,580,524) in further view of Shiraishi (US 6,999,200).

Summary of Amendments

Amendments to claims 1 and 5 – 7 have been made. No new matter has been added by these amendments. Claims 1, 2, and 5 – 7 are currently pending.

Summary of Interview

Applicants' representative and the Examiner had a telephonic interview on March 30, 2010. Applicants' representative and the Examiner discussed whether the references actually disclosed the limitations relied upon by the Office in making the section 103 rejection. No particular agreement was reached.

Discussion of Rejections under 35 U.S.C. §103

Independent claims 1 and 5 – 7 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Weichmann in view of Endo and further in view of Shiraishi. Applicants do not admit that these references are prior art, and reserve the right to challenge them at a later date. Although Applicants' arguments here are directed to the cited combination of references, it is necessary to consider their individual disclosures, in order to ascertain what combination, if any, could be made from them.

Applicants submit that the rejection of independent claim 1 should be withdrawn because Weichman, Endo, and Shiraishi do not teach or suggest, either individually or in combination, all elements of claim 1. As amended, claim 1 substantially recites, among other things, generating the print data subjected to the correcting in terms of elongation or contraction, wherein after the print data is created the print data is binarized for creating printing-plate creation data. None of Weichman, Endo, and Shiraishi discloses the recited limitation of claim 1, nor do they disclose this in combination.

Applicants note the Office's argument to the contrary:

> With respect to claims 1, 2, & 5-7 the applicant argues his invention is characterized by the print data being subjected to elongation or contraction correction before the print data is binarized and that none of the citied references disclose or suggest this feature. Examiner respectfully disagrees, Endo et al teaches that the print data is calculated by using the following formulas: $\Delta X = (W+wl Fi+w2Fi)ln$ and $\Delta Y=(H + hFi)$. W and H are image data information while wl Fi, w2Fi, & hFi are correction factors, see column 6 lines 60-67 and column 7 lines 1-4. The corrections are combined to with [sic] image data to create the binarized print data that is used by the printing press.

Office Action, top of page 3. Applicants must respectfully disagree with the Office's argument. The recited section of Endo, rather than teaching that the print data is subjected to elongation or contraction correction before the print data is binarized, instead teaches that the print data is subjected to elongation or contraction correction after the print data is binarized. This is the case at least because the formulas disclosed in Endo (e.g., $\Delta X = (W+wl Fi+w2Fi)ln$ and $\Delta Y=(H + hFi)$) and relied upon by the examiner give results in pixel intervals. Specifically, ΔX and ΔY are pixel intervals. See Endo, col. 6 ln 60-67 to col. 7 ln 1-4. But as made clear in Applicants' specification, pixel data exists in an image after the image has been binarized, not before. See, e.g., Specification at para. [0008] ("after developing the printing-plate creation data in a RIP manner, there may occur a case where imaging dots (pixels), which are not originally connected to each other in the printing-plate creation data, are connected to each other

. . ." (emphasis added)). Therefore, Endo does not disclose generating the print data subjected to the correcting in terms of elongation or contraction, wherein _after_ the print data is created the print data is binarized for creating printing-plate creation data as substantially recited in claim 1.

Neither of the remaining references Weichman and Shiraishi provide the missing disclosure lacking in Endo. Notably, the Office does not rely on either Weichman or Shiraishi to do so. As such, none of Weichman, Endo, and Shiraishi discloses the recited limitation of claim 1.

Further, Applicants submit that the rejection of independent claim 1 should also be withdrawn because Weichman, Endo, and Shiraishi do not teach or suggest, either individually or in combination, further elements of claim 1. As amended, claim 1 substantially also recites, among other things, correcting at least one position data in terms of elongation or contraction in the direction in which the printing medium is to be elongated or contracted, by changing one or both of the image type position data and the image type shape data on the basis of the deformation information determined previously. None of Weichman, Endo, and Shiraishi discloses the recited limitation of claim 1, nor do they disclose this in combination.

The Office substantially relies on Endo to disclose the recited limitation of claim 1. _See_ Office Action, page 5. In particular, the Office states that:

> Endo et al. teaches that the his method does not perform mechanical or shape correction instead uses a previously printed image to correct for elongation or contraction errors, See column 7 lines 37-43. Endo goes on to teach that the print data is corrected by adding error values to the horizontal and vertical directions to accommodate for the errors, See column 7 lines 44- 48.

_Id._ Applicants must respectfully disagree with the Office's argument. The recited section of Endo does not teach correcting at least one position data in terms of elongation or contraction in the direction in which the printing medium is to be elongated or contracted, by changing one or both of the image type position data and the image

type shape data on the basis of the deformation information determined previously, as substantially recited in claim 1. Importantly, the image type position data and the image type shape data that are corrected in the recited limitation **denote the position and shape of an image type in an image**. See claim 1 as amended ("wherein each of the plurality of print data includes an image type data for at least one image type constituting the corresponding print image, and a position data for determining at least one of an image type position data corresponding to a position of the image type in the print image and an image type shape data indicating a shape of the image type" (emphasis added)). In contrast, Endo instead teaches that "shift amounts . . . in the horizontal direction and . . . the vertical direction between the first-color image and the second-color image are obtained." Endo, col. 7 ln 44-55. The first-color image and the second-color image disclosed in Endo are **entire images**, not **image types within entire images**. As such, Endo teaches shift amounts for shifting entire images, not for correcting image type position data and image type shape data of an image type in an image as substantially recited by claim 1.

Neither of the remaining references Weichman and Shiraishi provide the missing disclosure lacking in Endo. Notably, the Office does not rely on either Weichman or Shiraishi to do so. As such, none of Weichman, Endo, and Shiraishi discloses the further recited limitation of claim 1.

Independent claims 5 – 7 contain limitations similar to those of claim 1 discussed above. Therefore, none of Weichman, Endo, and Shiraishi teach or suggest, individually or in combination, all elements of independent claims 5 – 7.

Applicants submit that for at least the above-stated reasons, independent claims 1 and 5 – 7 are patentable over Weichman, Endo, and Shiraishi. Thus, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 103(a).

Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion

In light of the amendments and the preceding arguments, the Applicants respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned at (650) 838-4384 to arrange for such a conference.

The Commissioner is authorized to credit any overpayments or charge any underpayments fees to Deposit Account No. 50-2207.

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Respectfully submitted,

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